



THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NEW YORK 10007

MICHAEL A. CARDOZO
Corporation Counsel

SHAWN FABIAN
Assistant Corporation Counsel
Telephone: (212) 788-0906
Fax: (212) 788-9776
shfabian@law.nyc.gov

November 18, 2009

BY ECF

Honorable Lois Bloom
United States Magistrate Judge
Eastern District of New York
United States Courthouse
225 Cadman Plaza East
Brooklyn, New York 11201

The application is ☒ **granted.**
SO ORDERED. ☐ **denied.**

/s/

Lois Bloom, U.S.M.J.

Re: Sergei Chepilko v. City of New York, et al., 06-CV-5491 (ARR)(LB)
Dated: 11/18/09
Brooklyn, New York

Your Honor:

I am an Assistant Corporation Counsel in the Office of Michael A. Cardozo, Corporation Counsel of the City of New York, representing defendants in the above-referenced matter. I write in response to Your Honor's October 16, 2009 Order directing defendants to inform the Court by November 23, 2009, by letter, regarding the status of the criminal investigation.

Earlier this week, the undersigned spoke with an Assistant District Attorney with the Kings County District Attorney's Office to inquire into the status of the criminal investigation. The undersigned was informed that the Kings County District Attorney's Office continues to pursue all possible avenues prior to closing the investigation. Therefore, their investigation remains pending until all avenues are exhausted, and the undersigned was advised that their Office will likely have additional information within thirty (30) to forty-five (45) days.

Accordingly, defendants' respectfully request that Your Honor continue to stay this matter as the underlying criminal investigation remains ongoing. Defendants also respectfully request that they be permitted to provide the Court with a status letter with respect to the investigation on or before December 31, 2009.

Thank you for your consideration herein.

Respectfully submitted,

/s/

Shawn D. Fabian
Assistant Corporation Counsel
Special Federal Litigation Division

cc: Mr. Sergei Chepilko (By First Class Mail)
Plaintiff *Pro Se*
501 Surf Avenue
Apartment 13-A
Brooklyn, New York 11224